

# CORNERSTONE

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## “Let Justice Roll...”

(Amos 5:24)



Photo by Rich Wilkes

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## Human Rights and Divine Rights

*by Naim Ateek*

Jewish religious extremist settlers have been heard to say that they are not interested in human rights but in divine rights. They are referring to certain biblical texts that they understand and interpret in an exclusive way. They believe that God has given the whole land of Palestine exclusively to the Jewish people. They believe that God is the God of Jews in a special way. They also believe that the Torah mandates the ethnic cleansing of the Palestinians, whom they regard as Canaanites and Amalekites, so that Jews can live and practice their laws as demanded by God free from the defilements of gentiles. This, they believe, is their God-given mandate



and they practice it by encroaching on the human rights of the Palestinians so that Palestinians will pack up and leave. These settlers commit crimes on a daily basis against the Palestinians and are protected by the Israeli army. The government of Israel is unable to control or deter these settlers.

Such a claim about divine rights reflects an ancient concept of a tribal god with his tribal people whose tribal land is occupied by their ancient enemies. These settlers are not living in the 21st century; they have attuned their mentality to an antiquated biblical narrative that dates back thousands of years and that reflects three exclusive theologies, namely, an exclusive theology of God, of a people of God, and of land.

Obviously, these settlers keep hammering down these exclusive claims that can neither stand nor be considered in a modern court of law; but as far as these extremists are concerned (and this includes the right-wing government of Israel), they do not care what human-made laws and courts say since they are only answerable to higher divine laws. This convoluted thinking is also shared by millions of Christian Zionists in different places around the world.

Such arguments are acceptable to all those Jews and Christians who believe in a literalist reading of the Bible where every word is divinely inspired and therefore, divinely ordained. They are not willing to apply any critical thinking or utilize the most basic elements of logic or even common sense. For many of us this is an absurd and warped way of dealing with Scripture especially



Women harvesting olives by the Wall

© AFP/Getty Images

when it results in the oppression of others in the name of the Bible. I would like to believe that most Israelis, as most Christians, do not entertain such extreme positions but unfortunately, they comprise a silent majority.

In this issue of Cornerstone we would like to touch on some issues that relate to international law and human rights and how they relate to the conflict over Palestine. My responsibility is to introduce this issue from a Sabeel faith-based perspective.

### A theological perspective

It is important to begin by saying that when the Universal Declaration of Human Rights (UDHR) was adopted by the UN General Assembly on December 10, 1948, it was motivated by the terrible atrocities committed during WW2 and the terrible effects of colonialism on indigenous people. Undoubtedly, some of those who were inspired to produce the UDHR were influenced by the ethical values of Christian faith.

One of the theological bases is the religious concept that human beings are created in the image of God and

their human dignity reflects the dignity of their creator. Such a theological concept, when appropriated, is enough to inspire many people to recognize that human dignity must always be upheld and must never be denied to any person – regardless of differing backgrounds. This concept is, therefore, rooted in the theology of God as creator. God as creator has created all people equal and has endowed them with life and a common humanity. We are not giving a scientific perspective about the mystery and the complexity of the universe and the way it came into being; we are talking about a pragmatic faith that gives people meaning here and now.

Therefore, we believe that one of the best ways to describe God is as a loving father/mother who loves all people equally. As Christians, we can add that we have come to know God's love more clearly in and through Jesus Christ, who lived fully as a human being. Through his teachings, lifestyle, and relationship with others, he has become a model for a life lived in its fullness. Even through his suffering, death, and resurrection, he has become a paradigm for all those who take a courageous stand for truth and just-living. During his life, Jesus emphasized the love of neighbor and

directly confronted the racism of the people of the day. Our concern for human rights and human dignity stems from our Jesus paradigm – the way he loved and cared for others, especially the most vulnerable. From our faith perspective, the UDHR, the Geneva Conventions, as well as various UN conventions are nothing less than the elaboration and amplification of the biblical dictum of the love of neighbor as Jesus Christ has emphasized.

Moreover, when the UN uses words like “inalienable rights,” it means that these rights are inherent, absolute, and indisputable, and every human being is entitled to them. From a faith perspective, therefore, they are God-given, fundamental or natural rights; they are ours by virtue of being human and cannot be given or taken away. These rights are often said to include: the right to life; to liberty and freedom of speech; to self-determination; and to the pursuit of happiness.

Thankfully, the UN has enshrined various human rights conventions in international law in order to protect the weak from falling prey to dictators, abusers, and exploiters. By doing so, the UN in many ways complemented the best ethical and moral teachings found in the various religions. At times it had to rise above certain religious teachings that are equivocally ambiguous and conflate some of those human rights.

The Bible has, for example, much to say about caring for the vulnerable in society: the poor, the orphan, the widow and the stranger. God becomes their protector because the vulnerable can easily be exploited by others. From a

faith perspective, the UN has taken that role. Its ethical foundations are rooted in religion and its laws are articulated and adopted in a universal way so that they can apply to all people. Due to the human propensity to exploit others, human rights had to be enshrined through international laws so that they could become binding on all humans and governments. At times we see that even when constitutions exist, some people find loopholes to exploit others. This is why it is important to stay vigilant in order to ensure that human rights are respected and exercised.

### **United Nations, Israel, & enforcement**

What has always amazed me is that when the UDHR was adopted in December 1948, it was signed by Israel. This was done despite the fact that hundreds of thousands of Palestinian refugees had by then been displaced by Israel and had their human rights violated. The greater impact at the time, however, was the holocaust. Clearly, the human tragedy of the Palestinians did not yet have any impact.

How can the international community work in concert to implement what the global community in its best and highest moments of human consciousness had agreed on? How can the UN implement these resolutions regarding the Palestine-Israel conflict that can bring about a just peace for all the people of our area?

As a case in point, on December 24, 2012, the UN Human Rights Council produced a valuable report on the human rights condition of the Palestinians under the Israeli occupation (A/HRC/22/46/

Add.1). For the Palestinians and many people in the world who care about justice and peace in Palestine, the report was a breath of fresh air because it was clear enough and courageous enough to address the violations of the Israeli Government. However, from the point of view of the oppressed, this was yet another wonderful report (added to many like it) that on the one hand was a sign of hope for the oppressed that there were still people who spoke the truth without succumbing to the pressure of powerful oppressors; and on the other hand, it was the disappointment that comes from the lack of a mechanism of enforcement that render these reports practically worthless. When such things are repeated time and again, they cause the oppressed to lose hope in the institution that stands behind these reports.

In summary, I would like to emphasize two connected points: It is mandatory that the UN find better ways to execute, enforce and implement all its human rights conventions. Secondly, when more people and governments around the world begin to use these international human rights conventions as the basis on which to adjudicate, legislate and administrate grievances, it will be possible to conceive a time when most people will see them as a reliable supplement or even a substitute for the confusing and often contradictory moral tenets of religion. In other words, the universal human rights regulations can then help safeguard and protect the rights of all people transcending many of the exclusive traditional and religious practices.

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*The Rev. Ateek is the Director of Sabeel*

# The Law Around Here

by Gerard Horton

To many people, the thought of embarking on a discussion of the Israeli-Palestinian conflict is a daunting challenge fraught with confusion, complexity and controversy. Thankfully, some binding principles have been developed, often at great sacrifice and after much trial and error, which can help to guide us along the way. This collection of principles, also known as international law, is not perfect, but there is almost unanimous agreement that these are the principles that apply. Accordingly, if a just and lasting solution to the conflict is to be found, it will need to be grounded on these principles.

In February of this year, a handful of men and women gathered together at Sabeel's offices in Jerusalem to discuss the next issue of the Cornerstone Magazine – this issue. The group knew that the issue would have a legal theme, but the task at hand was to decide what form this would take. The idea that emerged was to identify a small number of topics that regularly arise and see if some clear and practical answers could be found based on well-established principles. The hope being that what follows will be both informative and provide practical guidance to our readers.

In discussing which questions should be included in this issue, it soon became clear that there is one principle that perhaps stands above all the others because of its

centrality to the conflict. This principle is based in customary international law, and so all nations on earth are bound by it. Because of its importance, it also finds expression in the UN Charter and can be stated as follows:

*It is impermissible to acquire territory through military means, regardless of who starts a conflict.<sup>1</sup>*

The wisdom behind this principle is that it is designed to take the incentive out of what has historically been one of the chief causes of war – coveting one's neighbour's property. In the present context this principle means that Israel cannot legally hold on to the West Bank, East Jerusalem and Gaza, which it has occupied since the war of June 1967 – and it matters not, from a legal perspective, who may have started the war. The importance of this principle to the present conflict is profound as most (if not all) of the root causes of human rights violations that occur – regardless of the identity of the perpetrator – have their root causes in the military occupation that commenced immediately following the end of the war and continues to this day.

So, after further discussion and the consumption of much strong coffee, the group decided upon the following list of topics for consideration in this issue. It should be noted, however, that the list is not intended to be exhaustive and is not intended to suggest that the

absence of a topic connotes lesser importance. In many instances, in order to frame the issues, the official position of the Israeli Government is set out and expressed on the website of the Ministry of Foreign Affairs. This is then followed by a discussion of the legal merits of the argument, based only on authoritative legal sources. And so to the topics:

1. Are East Jerusalem, the West Bank and Gaza occupied territories, or are they merely disputed territories as claimed by the Israeli Government?
2. Are all Israeli settlements and outposts in East Jerusalem and the West Bank illegal, or are they merely something to be discussed in the context of wider negotiations as claimed by the Israeli Government?
3. Is Israel's separation Wall built largely in the West Bank justified on the grounds of security as claimed by the Israeli Government?
4. Was Palestine's recent successful UN bid to upgrade its status justified, or was it a unilateral action comparable to an act of "diplomatic terrorism" as claimed by Israel's Foreign Minister?

In order to answer these questions, Sabeel sought out persons familiar with these issues and we hope that you find the following discussion useful.

<sup>1</sup> Article 2 of the UN Charter; ICRC – Meeting of Experts, Geneva, October 1998; UN Security Council Resolutions 242 (1967); 252 (1968); 267 (1969); 271 (1969); 298 (1971); 338 (1973); 446 (1979); 452 (1979); 465 (1980); 476 (1980); 478 (1980); 681 (1990); 799 (1992); and 904 (1994).

Gerard Horton is a lawyer who for the past five years has focussed on the issue of children prosecuted in military courts. Previously he practised as a barrister in Sydney, Australia.



Photo from Saman Mohammadi's Blog

# Disputed or Occupied?

by Gerard Horton

For more than 400 years the Ottoman Empire controlled a vast territory stretching from southern Europe to the Middle East and North Africa with its capital in Istanbul, Turkey. The empire included the Holy Land, also known as historic Palestine, in what is today Israel and Palestine.

In 1918 the old empire collapsed following the end of the First World War. Immediately after the war the victorious powers competed with one

another to extend their influence over the pieces of what remained that held strategic interest.<sup>1</sup> As part of this post-war carve-up, Britain was granted a mandate over historic Palestine by the League of Nations, a forerunner to the United Nations. Under the mandate, Britain was authorised to temporarily administer Palestine until its inhabitants were deemed capable of self-determination by the powers that be.<sup>2</sup> Significantly, the articles of the mandate incorporated the terms of the Balfour Declaration, a pronouncement made by

the British Government in 1917. The Declaration pledged to facilitate the creation of a Jewish homeland within Palestine. The terms of the Declaration were inherently contradictory and unworkable, promising a Jewish homeland within an unspecified area of Palestine, whilst noting that:

“[I]t being clearly understood that nothing shall be done to prejudice the civil and religious rights of existing non-Jewish communities in Palestine...”

And so with these mutually exclusive commitments the seeds of conflict were sown.

Thirty years passed during which time the Jewish population of Palestine – encouraged by the Balfour Declaration and fleeing Nazi persecution – increased from around 13 to 33 percent of the total. Some of this immigration was legal under Britain’s mandatory authority, and some was not. The influx of Jewish immigrants from Europe, whether legal or

illegal, antagonised the local Palestinian population (Christians and Muslims), and later British attempts to restrict immigration only served to antagonise the minority Jewish population.<sup>3</sup>

Following the Second World War, an impoverished Britain declared its intention to renounce its responsibilities under the mandate and to quit Palestine by 1948. Following Britain's announcement, the United Nations took up the responsibility for deciding how Palestine should be governed in the post-mandate era. A committee was formed and a report was produced recommending that Palestine be divided between Palestinian Arabs and Jews. The Partition Plan, as it became known, was submitted to the United Nations General Assembly for consideration, and in a non-binding vote, the Plan was approved.<sup>4</sup> However, the Plan was immediately rejected by the Arab population of Palestine and many Arab States as being unbalanced, not least because 65 percent of the population (Palestinian Arabs – Christians and Muslims) were being offered around 45 percent of the land.<sup>5</sup>

As Britain withdrew, the situation deteriorated and fighting broke out between Jews and Arabs. Then on 14 May 1948, Israel unilaterally declared its independence in accordance with the non-binding Partition Plan, which had already been rejected by the majority of the local population. Fighting continued until the warring parties agreed to a UN brokered armistice that left the newly established State of Israel in control of 78 percent of historic Palestine - 23 percent more than had been envisaged by the UN under the Partition Plan. The remaining 22 percent of historic Palestine was now administered by Jordan (East Jerusalem and the West Bank) and Egypt (Gaza).<sup>6</sup> The temporary ceasefire line ("Green Line") between the parties ran right through the middle of Jerusalem,

dividing the city between East and West, even though it was stated to be "without prejudice to future territorial settlements or boundary lines or to claims by either Party relating thereto."<sup>7</sup>

This is how things remained until June 1967, when war again broke out in the region. After six days of fighting, Israeli forces were left in control of East Jerusalem, the West Bank, and Gaza, or in other words, all of historic Palestine.<sup>8</sup> The legal implications of this development have been authoritatively considered on a number of occasions and are not seriously disputed, other than by the government of Israel.<sup>9</sup> These binding legal principles can be summarised as follows:<sup>10</sup>

1. Since June 1967, East Jerusalem, the West Bank and Gaza have been held by Israel under military occupation; and
2. As an occupying power, Israel does not acquire sovereignty over the territory, irrespective of who was responsible for starting the war. This implicitly means that at some point the occupation must end.<sup>11</sup>

The solitary position taken by the Israelis is conveniently presented on the website of the Ministry of Foreign Affairs:<sup>12</sup>

"Israel's presence in the territory is often incorrectly referred to as an 'occupation.' However, under international law, true occupation occurs only in territories that have been taken from a recognized sovereign. The last recognized sovereign of the West Bank and Gaza was the Ottoman Empire, which ceased to exist following the First World War. [...] As the West Bank had no prior legitimate sovereign, under international law these areas cannot be considered as "occupied" Arab or Palestinian lands, and their most accurate description would be that of disputed territories."

This very same argument was used by the Israeli Government before the International Court of Justice in

2004, and was quickly rejected.<sup>13</sup> In responding to Israel's position, the Court had to determine if the Fourth Geneva Convention – ratified by Israel in 1951 – was applicable to the conflict as the relevant embodiment of international law. The Convention is based on the universally-accepted principle that despite occupation and war, people living in an occupied territory should continue to live in as normal a manner as possible and in accordance with their laws, culture and traditions.<sup>14</sup> The Court determined that for the Convention to apply and therefore, Israel's control of the territory to be classified as a temporary military occupation, two conditions had to be satisfied:

1. There must have been an armed conflict; and
2. The conflict must have arisen between two parties to the Convention.

In finding that both conditions were fulfilled, the Court determined that an armed conflict between Israel and Jordan had broken out in June 1967, and at the time both were parties to the Fourth Geneva Convention. On a proper construction of the law, it was irrelevant whether or not the occupied territory was the sovereign territory of any state at the time the conflict started.

The same argument continues to be recycled by Israeli officials in spite of universal rejection of the Israeli position. The reason for Israel's steadfast rejection of the accepted legal position is that it imposes a number of inconvenient truths upon Israel, such as:

1. All Israeli settlements and outposts in East Jerusalem and the West Bank are illegal by virtue of Article 49 of the Fourth Geneva Convention. It matters not whether the settlers moved voluntarily into occupied territory or were assisted or forced by the government.
2. The destruction or seizure of Palestinian property in East Jerusalem, the West Bank and Gaza is illegal unless absolutely required out of military

necessity by virtue of Article 53 of the Fourth Geneva Convention.

3. The transfer of Palestinian prisoners to detention facilities inside Israel is illegal by virtue of Article 76 of the Fourth Geneva Convention. Although all Palestinian prisoners are supposed to be detained in the occupied territory, each month around 85 percent are held inside Israel.<sup>15</sup>

4. Regardless of what Israel says or does, it cannot acquire legal sovereignty over East Jerusalem, the West Bank or Gaza, and at some point – in accordance with international law – must give up the territory as the U.S. did in Iraq and Afghanistan.<sup>16</sup>

5. Subject only to legitimate security considerations, the welfare of the local population is the main principle guiding the measures and policies undertaken by the occupying power in the administration of the occupied territory.<sup>17</sup>



© Press TV.

A Palestinian woman weeps next to her olive trees torched by settlers

Accordingly, the only resolution to the conflict consistent with international law requires a full withdrawal of Israeli forces to the pre-1967 borders and the dismantling of all settlements without preconditions, making the way for the creation of a Palestinian State in the West

Bank, East Jerusalem and Gaza. The Palestinian State would still only occupy 22 percent of historic Palestine even though the population split between Arab and Jewish stands in equilibrium, with six million Palestinians and six million Jews now living in the Holy Land.

- 1- *The process of demarcating European influence over the remnants of the Ottoman Empire began before the end of the First World War, most famously with the Sykes-Picot Agreement of 1916. In that agreement Britain and France, with the consent of Russia, established their prospective spheres of influence in the Middle East once the war was won.*
- 2- *International Court of Justice, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, 2004 (ICJ Advisory Opinion on the Wall) – paragraph 70.*
- 3- *United Nations Special Committee on Palestine, Report to the General Assembly, 1947 – UN document A/364.*
- 4- *UN General Assembly resolution 181. The vote was: 33 for, 13 against, with 10 abstentions.*
- 5- *United Nations Special Committee on Palestine, Report to the General Assembly, 1947 – Chapter VI.*
- 6- *In 1950 Jordan's parliament incorporated the West Bank but stated that it was "without prejudicing the final settlement of Palestine's just case within the sphere of national aspirations, inter-Arab cooperation and international justice." Egypt did not incorporate the Gaza Strip but administered it as "an inseparable part of the land of Palestine." See: The Case for Palestine: An International Law Perspective, John Quigley, chapter 21.*
- 7- *ICJ Advisory Opinion on the Wall (2004) – paragraph 72.*
- 8- *During the war of 1967, Israel also captured the Sinai Peninsula from Egypt and the Golan Heights from Syria.*
- 9- *ICJ Advisory Opinion (2004); Commission on Human Rights resolutions 6 (XXIV), 6 (XXV), 2001/7; Human Rights Council resolutions 7/18, 10/18, 19/17; Security Council resolutions (1969) 271, (1979) 446, (1989) 641, (1990) 681, (1992) 799; General Assembly resolutions 2546, ES-10/2, 36/147 C, 54/78, 58/97, ES- 10/18, 66/225; ICRC.*
- 10- *ICJ Advisory Opinion on the Wall (2004).*
- 11- *Article 2 of the UN Charter; and ICRC – Meeting of Experts, Geneva, October 1998.*
- 12- *Israel Ministry of Foreign Affairs website, FAQ: Israel, the Conflict and Peace. Available at: <http://is.gd/OMks5Y>*
- 13- *ICJ Advisory Opinion on the Wall (2004).*
- 14- *The main purpose of the Fourth Geneva Convention is to protect civilians living under military occupation against arbitrary action by the State –see ICRC – Meeting of Experts, Geneva, October 1998.*
- 15- *According to monthly figures published by the Israeli Prison Service.*
- 16- *Article 2 of the UN Charter; ICRC – Meeting of Experts, Geneva, October 1998; UN Security Council Resolutions 242 (1967); 252 (1968); 267 (1969); 271 (1969); 298 (1971); 338 (1973); 446 (1979); 452 (1979); 465 (1980); 476 (1980); 478 (1980); 681 (1990); 799 (1992); and 904 (1994).*
- 17- *ICRC, Occupation and Other Forms and Other Forms of Administration of Territory, Expert Meeting, 2012, page 72.*



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# The Hole in the Wall

by Ray Dolphin

## Background

In 2002 following a campaign of suicide attacks by Palestinian militants, the Israeli Government approved the construction of a Barrier to deter suicide bombers from the West Bank. Approximately 62 percent of the Barrier is now completed, a further eight percent is under construction, and 30 percent is planned but not yet constructed (see Barrier Facts and Figures). According to the Israeli authorities, the Barrier remains a temporary security measure and is not

intended to annex land or to constitute a border to replace the internationally-recognised Armistice Line (“Green Line”). Most Israeli citizens attribute the lack of suicide bombings in Israel in recent years to the success of the Barrier in preventing infiltration from the West Bank. However, not denying that the Barrier has had security benefits, many analysts attribute this decline to an improvement in security information sharing and cooperation between Israel and the Palestinian Authority, and a tactical decision by Palestinian militants to suspend suicide bombings. Israeli officials estimated in 2011 that approximately 15,000 Palestinians were smuggling themselves into Israel

every day from the West Bank to look for employment despite the Barrier.

Irrespective of the official reasons, the inclusion of Israeli settlements on the “Israeli side” of the Barrier – including areas planned for their future expansion – is a major reason for the deviation of the Barrier from the Green Line into the West Bank. Over 70 of the 150 Israeli settlements in the West Bank and over 85 percent of the total settler population are located on the “Israeli side” of the Barrier’s route.

## The International Court of Justice Advisory Opinion on the Barrier

On 9 July 2004, the International Court of Justice (ICJ) – the principal judicial

## Barrier Facts and Figures

- The Barrier consists of concrete walls, fences, ditches, razor wire, groomed sand paths, an electronic monitoring system, patrol roads, and a buffer zone.
- The Barrier's total length (constructed and projected) is approximately 708 km, more than twice the length of the 1949 Armistice ("Green") Line, which separates Israel from the occupied West Bank.
- When completed some 85% of the Barrier route will run inside the West Bank, rather than along the Green Line, isolating some 9.4% of the West Bank (including East Jerusalem).
- Around 11,000 Palestinians who reside in areas between the Green Line and the Barrier ("Seam Zone," excluding East Jerusalem) require special permits to continue living in their own homes; another 23,000 will be isolated if the Barrier is completed as planned.
- There are about 150 Palestinian communities that have part of their land isolated by the Barrier and must obtain special permits or perform "prior coordination" to access this area.
- Access to agricultural land through the Barrier is channeled through approximately 70 gates. The majority of these gates only open during the six-week olive harvest season and usually only for a limited period during the day.

organ of the United Nations – issued an Advisory Opinion on the "Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory." The ICJ recognized that Israel "has to face numerous indiscriminate and deadly acts of violence against its civilian population" and that it "has the right, and indeed the duty, to respond in order to protect the life of its citizens. [However], the measures taken are bound nonetheless to remain in conformity with applicable international law."

The ICJ stated that the sections of the Barrier route that ran inside the West Bank (including East Jerusalem) – together with the associated gate and permit regime – violated Israel's obligations under international law. The ICJ called on Israel to cease construction

of the Barrier, "including in and around East Jerusalem"; dismantle the sections already completed; and "repeal or render ineffective forthwith all legislative and regulatory acts relating thereto."<sup>1</sup> The Court's Advisory Opinion stated that UN Member States should not recognize the illegal situation created by the Barrier and should ensure Israel's compliance with international law. UN General Assembly Resolution ES-10/15 of 20 July 2004 demanded that Israel comply with its legal obligations as stated in the ICJ opinion.

### Impact

#### *East Jerusalem*

The route of the Barrier inside the West Bank (including East Jerusalem) is not only contrary to the ICJ advisory opinion, but is also responsible for the

humanitarian impact on Palestinian communities. In addition to the major impact on rural communities (described below), the Barrier also adversely affects urban areas, in particular Qalqiliya, Bethlehem and East Jerusalem. In East Jerusalem, the Barrier is transforming the geography, economy and social life not only of Palestinians who reside within the Israeli-defined municipal area, but also residents of the wider metropolitan area. In the areas where the Barrier follows the municipal boundary, it physically separates Palestinian communities onto either side of what had previously been a jurisdictional division. Thus, certain West Bank neighbourhoods and suburbs that were once closely connected to East Jerusalem are now walled out, causing previously flourishing residential and commercial centres to close down. The Ramallah and Bethlehem urban areas, which have historically been connected to East Jerusalem, are also physically separated from the city by this new divide.

#### *Rural areas*

The Barrier's impact has been particularly severe on Palestinian rural communities, as the intrusive route cuts through eight of the West Bank's 11 governorates, isolating the farms, greenhouses, grazing lands and water resources of tens of thousands of Palestinians. Farmers in approximately 150 communities who have land isolated between the Barrier and the Green Line ("Seam Zone") are obliged to use a prior coordination mechanism or to obtain special permits from the Israeli authorities to reach their land.

Comprehensive data on the number of permits granted is not available; however, Israeli authorities routinely rejected many applications, mainly due to “security reasons” or on the grounds of insufficient proof of the farmers’ “connection to the land.”

Even those farmers granted access to their land by permit or prior coordination face restrictions to their passage through gates and checkpoints. Most of the crossings along the Barrier are only open during the olive harvest, and each only for a limited time frame during this period; access for the remainder of the year is prohibited. In total, as of this year’s olive harvest, there were 77 Barrier crossings (69 gates and eight checkpoints). Of the gates, only 11 open daily; 11 open for some day(s) during the week and during the olive season; and 47 open during the olive season only. The limited allocation of these permits together with the restricted number and opening times of the Barrier gates all continue to severely curtail agricultural practice and undermine rural livelihoods throughout the West Bank.

### “Seam Zone” communities

This intrusive route of the Barrier also isolates approximately 11,000 Palestinians in 33 communities or isolated households between the Barrier and the Green line in the “Seam Zone.” The majority of those (ages 16 and above) require “permanent resident” permits from the Israeli authorities to continue to live in their homes; Israeli settlers living in the “Seam Zone” area are exempt from this regulation. Few health and education services are available between the Barrier and the Green Line for Palestinians, obliging



Photo by Ryan Rodrick Beiler

residents to pass through Barrier checkpoints to reach workplaces and essential services, and to maintain family and social relations on the “Palestinian” side of the Barrier.

In recent years the Israeli authorities have “released” certain of these communities to the “Palestinian side” by re-routing the Barrier. However, these amendments, which are in compliance with decisions issued by the Israeli High Court of Justice (rather than the ICJ advisory opinion), still leave the re-routed sections of the Barrier within the West Bank rather than along the

Green Line or in Israel. In many cases, while restoring the communities’ links to health and education services, these amendments restrict their access to the agricultural land on which their livelihoods and survival depend.

### The way forward

Although Israel has the duty to ensure the safety and security of its citizens in response to attacks by Palestinian militants, this must be in accordance with international law and should not cause long-term detriment to the local Palestinian population. The ICJ Advisory Opinion called on Israel to cease construction of the Barrier (including in and around East Jerusalem), to dismantle the sections of the Barrier already completed, and to repeal the gate and permit regime. In line with the Advisory Opinion, Israel should stop all Barrier construction, dismantle or re-route the constructed sections to the Green Line, and repeal the gate and permit regime. Only then will the Palestinian communities cut off by the Barrier, including in East Jerusalem, be able to exercise their rights to freedom of movement, work, education, health and an adequate standard of living. This will also ensure that no Palestinian land and water reserves are isolated between the Barrier and the Green Line, preventing communities from cultivating land, harvesting crops and grazing animals.

<sup>1</sup> ICJ, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion of 9 July 2004, para. 141. The full text of the ICJ opinion can be found at: <http://www.icj-cij.org/docket/index.php?p1=3&p2=4&k=5a&case=131&code=mwp&p3=4>

Ray Dolphin is the main author of numerous UN reports on the Wall. He has written “The West Bank Wall: Unmaking Palestine,” Pluto Press, (2006). He is currently working as a researcher/writer with UNOCHA Jerusalem.

# Global Young Adult Festival



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# Women's Voices

*Name: Fatima R.*

*Age: 38*

*Location: Qusra, West Bank*

*Date: 23 February 2013*

*Incident: Settler violence*

**A Palestinian mother describes the day Israeli settlers fired shots at her family as they planted almond trees on their land.**

Fatima lives with her husband and three children in the West Bank village of Qusra, near the town of Nablus. The settlement of Esh Kodesh is nearby. "Our village is surrounded by settlements built on land belonging to the village and the villages nearby," Fatima says.

"On Saturday 23 February 2013, I went with my husband and children to some agricultural land we own near the village. We wanted to plant some almond trees, to do some weeding and have a nice day outside in the spring weather. At around noon, after doing a lot of work on the land, we had a tea break in a small shed we have on the land. Suddenly, we heard the sound of men shouting outside and cursing - using bad language which I am too embarrassed to repeat. We looked out and saw five Israeli settlers nearby carrying guns. One of them was masked. I was

very scared," she says.

"My husband and I walked outside to see what was going on, but the minute the settlers saw us they started to shout and verbally abuse us, it was awful. I was very worried about my husband and told him to come back inside. However, before we could do anything, I saw the masked settler take position behind a pile of dirt about 50 meters away and aim his rifle at us and started shooting in our direction. Bullets landed all around us and I was terrified and thought I was going to be killed on the spot. There was no one around except us. I instinctively ducked and started to crawl towards our car, which was parked on the dirt road a few meters

away. My husband did the same and told me to get into the car as quickly as possible," Fatima says.

Fatima and her husband made it safely to their car but were worried for their children still inside the shed. "When the settlers noticed that my husband was trying to move the car away they ran towards us and started throwing stones. I cannot describe how terrified I was, my heart was pounding and I didn't think we were going to make it out safely, but luckily we did," she says.

"Miraculously my children escaped and no one was physically hurt, but I am still in shock four days later." I wake up in the middle of the night panicking



A settler throwing wine on Muslim woman in Hebron

and I find it hard to go back to sleep. My knees are shaky and I sometimes feel my legs are unable hold me anymore. My husband went back to the land later that day and found that the settlers had pulled out some trees, smashed the windows of the shed and caused damage to the property,” Fatima says.

“This is not the first time that settlers from the nearby settlement of Esh Kodesh have caused us trouble, it happens all the time.” I think there were about 15 attacks since June last year. On 1 January this year settlers destroyed about 60 small olive trees, which my husband had planted himself. The loss is not simply financial; the idea of not being able to work our own land is deeply disturbing. The settlers don’t want us here, they want to drive us off our land so that they take it over, that’s basically it,” she says.

*Name: Khadra M.*

*Age: 43*

*Location: Asira Al-Qibliyeh, West Bank*

*Date: 19 May 2012*

*Incident: Settler violence*

**Israeli settlers from the settlement Yitzhar attacked the village of Asira Al-Qibliyeh and shot a Palestinian resident.**

“I was at home doing some house work on Saturday when I heard some



“Death to Arabs” Hebrew graffiti on a Palestinian car in the West Bank

whistling outside at around 4:45 p.m.,” recalls Khadra. “I looked out the window and saw settlers wearing white shirts coming down the hill towards the village. My house is closest to the settlement of Yitzhar where radical settlers often launch attacks against us. The last time they launched such an attack was in December when a large group surrounded our house in the middle of the night and threw rocks at our windows. It was such a frightening experience that I felt sick for days,” she says.

Khadra went up to the roof of her house and started filming with a video camera given to her by the Israeli human rights organization, B’Tselem. “When the settlers were about 40 meters away from our house, men from the village started to walk in their direction to stop them approaching any further. I immediately knew there was going to be confrontation and hoped the soldiers would show up soon,” recalls Khadra.

“More and more settlers came down the hill and more and more men from

the village went out to confront them. Both the settlers and the men threw stones at each other. Some were carrying sticks. It took the soldiers a long time to show up but when they finally did, they didn’t do much. I saw a settler with a pistol aiming it at the men in the village as if he was about to shoot. I was so scared. I heard gun shots. I also saw another two settlers aiming their big guns at the men throwing stones. There were more gunshots. Seconds later, I realized a young [Palestinian] man had been shot in the head,” says Khadra.

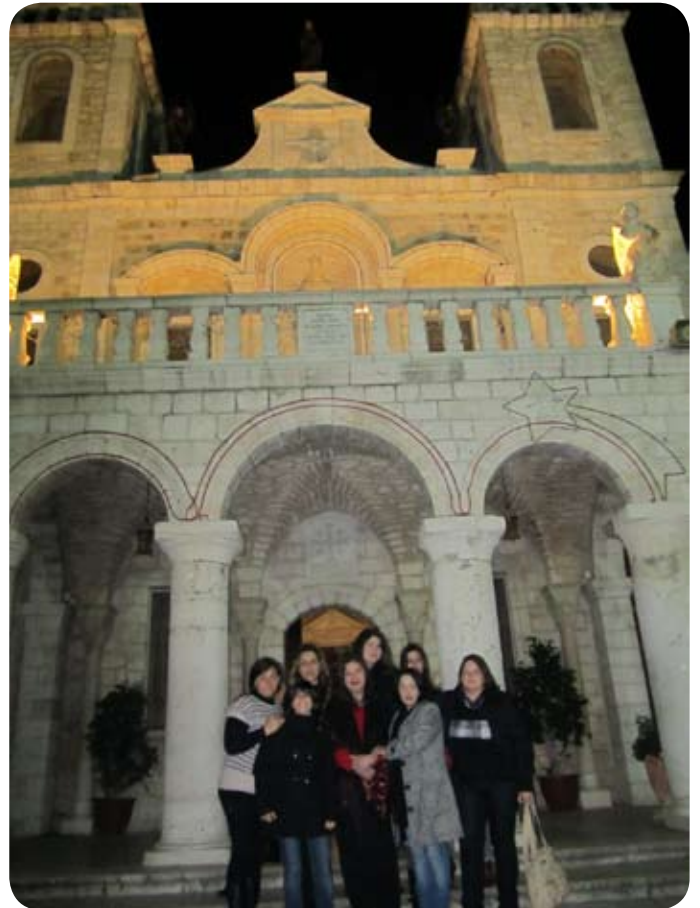
“This dreadful situation went on for nearly two hours and during this whole time the soldiers did almost nothing. Then they shot tear gas and everybody started to clear the area. The situation was very tense until about 7:00 p.m. I could not sleep that night. “It is a disturbing feeling to know we are completely on our own; nobody is there to help or protect us,” she says.

# Glimpses of Our Activities

## *Nazareth*



Meeting with a Swedish group



Youth meeting in Kufr Kana



Youth trip to Jerusalem during Lent



Nazareth women's trip to Tiberius



Community Lenten program in Jericho

# Glimpses of Our Activities

## *Jerusalem*



Ecumenical Prayer Service for Syria and Palestinian prisoners at the Dominican Church in Jerusalem



Contemporary Way of the Cross in the Old City – Jerusalem



Clergy meeting in Irtas Monastery – Bethlehem



Quiz Night in Ramallah for young adults



© UPI / Debbie Hill

# What is Wrong with Settlements?

by Gerard Horton

The first Israeli settlement was established in September 1967, three months after the start of Israel's military occupation of the West Bank, East Jerusalem and the Gaza Strip. According to the UN, there are now 250 settlements in the West Bank and East Jerusalem with a total population of 520,000.<sup>1</sup> All of the settlements, without exception, are illegal under international law as they violate Article 49 of the Fourth Geneva Convention and the principle that territory cannot be acquired through war:

**“The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.”**

Further, international law prohibits an occupying power from undertaking permanent changes in the occupied area unless these are due to military needs in the narrow sense of the term, or unless they are undertaken for the benefit of the local population.<sup>2</sup>

The official Israeli Government position on the settlements is they are not illegal because the land on which they are built is disputed, not occupied,

and therefore, the prohibition against transfer of population and settlements does not apply. Accordingly, so the argument goes, the settlements are just one more issue that needs to be discussed before a final resolution to the conflict can be reached. This argument thereby attempts to take the settlement issue out of an inconvenient legal framework and places it up for negotiation. This is essential from an Israeli Government perspective, as the legal argument in support of the settlements is without merit and has been rejected on numerous occasions, including by the UN Security Council and the International Court of Justice.<sup>3</sup>

### State sponsorship of an illegal enterprise

A recent report published by the UN confirms that since 1967, successive Israeli Governments have actively encouraged illegal settlement construction in the West Bank and East Jerusalem.<sup>4</sup> According to the report, Israeli governments “have openly led and directly participated in the planning, construction, development, consolidation and/or encouragement of settlements ... by (i) building infrastructure; (ii) encouraging Jewish migrants to Israel to move to settlements; (iii) sponsoring economic activities; (iv) supporting settlements through public service delivery and development projects; and (v) seizing Palestinian land.”

This official sponsorship in an illegal enterprise is also confirmed by the Israeli organisation, B’Tselem, which reports that: “Settlers and other Israeli citizens working or investing in the settlements are entitled to significant financial benefits. One of the mechanisms used by the government to favor the Jewish local authorities in the West Bank, in comparison with local authorities inside Israel, is to channel funding through the Settlement Division of the World Zionist Organization. Although the entire budget of the Settlement Division comes from state funds, as a non-governmental body it is not subject to the rules applying to government ministries in Israel.”

As recently as November 2012, Israel’s Finance Minister, Yuval Steinitz, confirmed state sponsorship of the settlements whilst at the same time

hinting that all was not above board when he was quoted in the Israeli media (Haaretz: “Like a thief in the night”) as stating that: “We’ve doubled the budget for Judea and Samaria (the West Bank). We did this in a low-profile manner, because we didn’t want parties either in Israel or abroad to thwart the move.”

### Human rights violations associated with the settlements

Beyond the headlines the settlements have an adverse impact on the lives of Palestinians on a daily basis and directly contribute to widespread human rights violations in the West Bank and East Jerusalem. These violations include: attacks by settlers; restrictions on religious freedom and related intolerance; dispossession and displacement; restrictions on freedom of movement; restrictions on freedom of expression and peaceful assembly; restrictions on the right to water; and an impact on the economic rights of Palestinians.<sup>5</sup>

The UN recently observed that the intention behind attacks by settlers is to pressure the Palestinian population to leave the land. The UN noted that during the course of many settler attacks, Israeli soldiers and police were present, suggesting an element of coordination and complicity by the State. Furthermore, complaints by Palestinians against settlers have a 91 percent chance of being dismissed without any effective action being taken, whereas in cases involving settler complaints against Palestinians, up to 95 percent of cases proceed to court.<sup>6</sup> The settlements and their related infrastructure also act as points of



“At around 1 a.m. I was sleeping in my room when I woke up to banging on the door. I saw windows had been smashed. I was very scared. My whole family woke up and my father went to answer the door. When he opened the door I saw a group of Israeli soldiers standing behind it.”

*Khalil – 13 years  
Abu Dis, West Bank*

friction, as they are generally built in close proximity to Palestinian towns and villages. In order to maintain control and ensure the continued viability of the settlement project, the Israeli army is given the responsibility of suppressing all forms of Palestinian resistance, whether peaceful or otherwise, so as to ensure the settlers can go about their daily business without interference. A central means by which this control is exercised is through regular military incursions into Palestinian villages, mass arrests and prosecution in military courts. UN and Israeli Prison Service figures reveal that since 1967 around 730,000 Palestinian men, women and children have been arrested, prosecuted

and detained by the Israeli military and reports of abuse within the system are commonplace.<sup>7</sup> These figures include between 500-700 children each year, some as young as 12 years old, who are prosecuted in military courts and detained mostly for throwing stones at Israeli soldiers and settlers near their villages.

### One land - two laws

Israeli military law was imposed on Palestinians living in the West Bank in June 1967 and remains in place to this day. Israeli settlers are also technically subject to military law. However, in reality, Israeli authorities apply the same civilian legal system to settlers as to residents of Tel Aviv, effectively annexing the settlements to Israel. As a result, two people residing in the West Bank can be subject to different legal systems with vastly different rights and protections simply depending on their race or nationality – a situation of discrimination that is expressly prohibited under international law.<sup>8</sup>

The discriminatory nature of the legal systems is perhaps best illustrated by

way of an example: Two children living in the West Bank throw stones at each other. If one child is Palestinian, he can be arrested in the middle of the night by heavily armed soldiers; interrogated without access to his parents or a lawyer; and prosecuted in a military court that lacks many basic fair trial right protections. If the other child is an Israeli settler, he will be dealt with under Israel's civilian juvenile justice system with all the rights and protections one would expect in a well-developed system guided by the principle of "best interests of the child."

### A "creeping annexation"

In its most recent report the UN notes that despite numerous resolutions of the Security Council and General Assembly declaring the existence of the settlements as illegal and calling for their cessation, expansion of settlements continues. This "mesh of construction and infrastructure" is leading to a "creeping annexation" that makes the establishment of a viable Palestinian state impossible.<sup>9</sup>

The report concludes that the settlements are established "for the

exclusive benefit of Israeli Jews" and are maintained through a system of "total segregation" between the settlers and the rest of the population. The system of segregation is supported by "strict military and law enforcement control to the detriment of the rights of the Palestinian population."

The report ends with a number of recommendations, including the following:

1. Israel must cease all settlement activity without preconditions and immediately initiate a process of withdrawal;
2. UN Member States must comply with their obligations under international law not to recognise an unlawful situation resulting from Israel's violations; and
3. Private companies must assess the human rights impact of their activities and take all necessary steps – including terminating their business interests in the settlements – to ensure that they are not adversely impacting the human rights of the Palestinian people.

1- Report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, UN Human Rights Council, January 2013 (UN report on settlements (2013)). According to the UN there are 320,000 settlers in the West Bank and 200,000 in East Jerusalem.

2- Regulations concerning the Laws and Customs of War on Land annexed to the Fourth Hague Convention of 1907 (The Hague Regulations).

3- UN Security Council resolution 446 (1979); International Court of Justice, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, 2004* (ICJ Advisory Opinion on the Wall).

4- UN report on settlements (2013).

5- *Ibid.*

6- *Ibid.*

7- *Children in Military Custody (June 2012): A report written by a delegation of British lawyers on the treatment of Palestinian children under Israeli military law.*

### A sample of legally binding UN Security Council resolutions

| Resolution | Date | Details  |
|------------|------|--|
| 242        | 1967 | Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every state in the area can live in security ...<br>(i) Withdrawal of Israel armed forces from territories occupied in the recent conflict.  |
| 267        | 1969 | Reaffirming the principle that acquisition of territory by military operation is not acceptable, the Security Council deplores Israel's violations of UN Resolutions, censures in the strongest terms Israel's actions changing the status of Jerusalem, confirms as invalid all legislative and administrative steps taken by Israel changing the status of Jerusalem, and urgently calls once again upon Israel to rescind past measures and desist from any future actions concerning changing the status of Jerusalem. |
| 298        | 1971 | All legislative and administrative actions taken by Israel to change the status of the City of Jerusalem, including expropriation of land and properties, transfer of populations, and legislation aimed at the incorporation of the occupied section, are totally invalid and cannot change that status.  |
| 446        | 1979 | Affirming that the Geneva Conventions relative to the Protection of Civilian Persons in Time of War (1949) are applicable to the Arab occupied territories by Israel including Jerusalem, and that the Israeli settlements in those territories are not valid, and are a serious obstacle to peace.  |
| 478        | 1980 | All legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, are null and void.  |
| 681        | 1990 | Urges the Government of Israel to accept de jure applicability of the Fourth Geneva Convention of 1949 to all the territories occupied by Israel since 1967, and to abide scrupulously by the provisions of the said Convention.   |
| 799        | 1992 | Reaffirms the applicability of the Fourth Geneva Convention of 12 August 1949 to all the Palestinian territories occupied by Israel since 1967, including Jerusalem.   |

8- Under international law, no state is entitled to discriminate between those over whom it exercises penal jurisdiction on the basis of their race or nationality. In *Al-Skeini v United Kingdom* (55721/07; 7 July 2011), the Grand Chamber of the European Court of Human Rights held that a state in military occupation of a territory is obliged, by virtue of its adherence to an international human rights treaty, to accord those rights in full to persons over whom, without assuming full sovereignty, it exercises "physical power and control," or who inhabit an area of which the contracting state has effective control.

9- UN report on settlements (2013).

# Which Peace and Whose Security?

*by Hind Khoury*

Israel's claim may sound logical. It argues that Israel withdrew from Gaza and got rockets on its civilians in return. Along the same logic, if Israel is to withdraw from the West Bank and East Jerusalem, it will be taking a major security risk that it cannot afford.

Only a further scratch of the surface regarding the Israeli - Palestinian conflict will show that this claim has been successfully communicated by the Israeli media machine, mainly to emphasize Israel's status as the victim in this conflict; a "historical" victim of the inherent violence and hatred in "the other" either in the form of worldwide anti-Semitism or the more recent Palestinian and Arab antagonism.

This victimhood is an important element in the Israeli war strategy and occupation against the Palestinian people. It has been very well and successfully communicated over the years and has led the major western powers to adopt an adamant and painfully partial stand by the "security of Israel" and its "right to defend itself" as a core element in their foreign policy – regardless of how truly victimized the other peoples around Israel are, mainly the Palestinians. But if Middle East peace is important to Israel and its western allies, and if they really cared about the universal values that is said to guide their politics, wouldn't they seek

to implement international law and pursue peace with justice for all peoples concerned?

The Palestinian leadership, while legitimately acknowledging the Palestinian's natural right to defend themselves and resist the inhuman and illegal conditions of the Israeli occupation of their land and lives, has condemned the rockets launched from Gaza because these contradict international law. Such international law is the accepted measure of relative justice owed to the Palestinian people and the main reference to a negotiated two-state solution.

But then, the record of Israel's flagrant violation of international law against the Palestinian people – including its inhuman hermetic siege of Gaza that continues especially since 2006 – is also public knowledge. The most dramatic and horrific images of this siege, the continued Israeli aggression and most inhuman consequences are communicated on TV channels, alternative media and official reports. Targeted killings of so called wanted Palestinians, accompanied with the dramatic loss of civilian lives and massive material damage (especially in Gaza) has been categorized as collateral damage by Israel. The Israeli aggression against Gaza climaxed in its merciless bombardment of Gaza for almost a whole month back in 2009, and was repeated in 2012. This was well documented by the famous Goldstone Report and its qualifications of Israel's

aggression as war crimes and even "war against humanity."

In addition to experiencing daily Israeli aggression, Gazans are an integral part of the Palestinian people and cannot be indifferent to the continued aggression against their people in East Jerusalem and the West Bank, which intensified under the cover of the so called "peace process."

Under these ongoing conditions of a fictitious peace that allowed (and continues to allow) increased Israeli aggression against the Palestinians, any talk of the two-state solution and the implementation of international law on the matter can easily be viewed as an exercise in futility. These conditions led some Palestinian groups in Gaza to view their rockets as a legitimate means of resistance against so much intransigence to their most essential rights as human beings and as a people.

We Palestinians need peace more than any other people because we need to be guaranteed a normal life, which has been denied to us now for generations – to our youth both in the occupied territories and in the prolonged exile as refugees. Hence, the Palestinian leadership since the mid 1970s has been rallying the Palestinian people around the two-state solution as an important compromised solution for the sake of peace. Palestinians officially accepted international law on the matter in 1988 and called for a reduced state of their own in 22% of historic Palestine, which is their natural ancestral homeland.

This Palestinian peace offer to Israel has been further substantiated by the Arab Peace Initiative made by all the Arab and Muslim countries (since 2002), offering to make peace and normalize relations with Israel against its full withdrawal from the Arab Territories occupied in the 1967 war. Neither Israel nor the U.S. accepted this generous offer, and instead, Israel continues its aggressive settlement expansion in the Palestinian Occupied Territories and the Golan Heights – while imposing “soft” ethnic cleansing measures against the Palestinian population (especially in East Jerusalem) in total impunity. The consequences of the occupation in East Jerusalem are also public knowledge and documented by many parties, including the UN agencies and the European Head of Missions in Jerusalem and Ramallah.

The only peace that will bring security to Israel is not military power and hegemony. Security will be a natural outcome of a just and durable peace that both peoples can live with and that respects international law as an acceptable measure of justice. Negotiations will be necessary, but only to discuss the application of international law as it applies to Palestine in all its components; UN resolutions, the 4th Geneva Convention and the Universal Declaration of Human Rights.

Under the total political impasse that has been facing the peace process for years now, the Palestinian leadership sought to save the two-state solution by reverting back to the international community and the United Nations last November – calling on them to take on their responsibilities towards the conflict and the inalienable rights of the Palestinian people still waiting to be realized since 1948.

The main obstacle to peace is Israel's refusal to recognize Palestinian rights

and international law on the matter. Peace is neither just nor durable if it is maintained alongside “domination, violations of rights and the denial of a decent and a dignified life to any one party. For Palestinians peace and normalization mean full independence and recognition, and it cannot mean accepting Israel's exceptionalism.”<sup>1</sup>

Benjamin Netanyahu, the prime minister of Israel, in his UN speech of 2011 said: “Palestinians should first make peace with Israel and then get their state” He added: “...peace in which a demilitarized Palestinian state recognizes a Jewish state.” While the first statement suggests Israel is seeking more time to proceed with its expansionist and colonialist policies, the second suggests capitulation by Palestinians to a skewed balance of power in favor of Israel and conditioning any peace deal with the Palestinians to the recognition of Israel as a Jewish State. This is a new and recent condition imposed by Israel to pursue the peace process and one that defies the very history of the region and the ethnic identity of its people.

Real peace and security also require from all parties the respect of real democracies for all, especially in the Middle East. This should include respect for cultural heritage in the region as a world heritage and serious work to disclose and emphasize the true history of the region that is scientific and based on material and archeological findings that have become available since the 19th

century. This can be done alongside a respect of the historical narratives on both sides of the divide.

For peace to succeed, Israelis and Palestinians need to do two things. First, they need to conclude a final status agreement. Secondly, and more importantly, the spirit and the letter of this agreement should promote a sense of justice as perceived by all parties and peoples concerned. This sense of justice that is strongly promoted by the three monotheistic religions – starting with the Old Testament – can practically rest on the promotion of international law.

It is no wonder that the whole world, except for Israel and the U.S., stood by Palestinian rights to statehood in the UN resolution of last November when Palestine was recognized as a STATE, even though as a non-member of the UN. This important recognition, though belated, is a recognition that a paradigm change that emphasizes and respects international law is due in order for peace to prevail.

The main legal underpinnings of the peace process are the “land for peace” formula of the Madrid Conference and UNSC Resolution 242 (and 338, reaffirming 242), which emphasizes the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace. Resolution 242 also calls for the “respect for and acknowledgment of the sovereignty, territorial integrity and political



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independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force.” It also recognizes the right of every state to self-determination, geographic continuity, and independence.

The main question that seeks an urgent answer is why such important Security Council resolutions, alongside many others, are left neglected for decades,

threatening peace and security in the world and imposing on many such a dramatically high human, political and financial cost.

Those in the Middle East, including Palestinians and Israelis, need and

deserve real peace and normal lives. This can only be achieved through a clear and unbiased commitment by all citizens and governments to the international rule of law and its universal principles of justice and accountability.

*<sup>1</sup>Israel's Exceptionalism: normalizing the abnormal. Statement by PACBI, 31 October 2011.*

*Hind Khoury is former Minister of Jerusalem Affairs with the Palestinian Authority and former Ambassador to France. She is currently a development consultant and Vice President of Sabeel.*





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## PURPOSE STATEMENT *f* SABEL

Sabeel is an ecumenical grassroots liberation theology movement among Palestinian Christians. Inspired by the life and teaching of Jesus Christ, this liberation theology seeks to deepen the faith of Palestinian Christians, promote unity among them, and lead them to act for justice and love. Sabeel strives to develop a spirituality based on justice, peace, non-violence, liberation, and reconciliation for the different national and faith communities. The word 'Sabeel' is Arabic for 'the way' and also a 'channel' or 'spring' of life-giving water.

Sabeel also works to promote a more accurate international awareness regarding the identity, presence, and witness of Palestinian Christians as well as their contemporary concerns. It encourages individuals and groups from around the world to work for a just, comprehensive, and enduring peace informed by truth and empowered by prayer and action.

For more information on Friends of Sabeel groups in your area please contact our international representatives or the Sabeel Center in Jerusalem.